

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter Of	)	
	)	
Mid-Rivers Telephone Cooperative, Inc. Petition	)	WC Docket No. 02-78
for Declaratory Ruling to Declare Mid-Rivers an	)	
Incumbent Local Exchange Carrier Pursuant to	)	
Section 251(h)(2) of The Act	)	

**COMMENTS OF JOHN STAURULAKIS, INC.**

Pursuant to Sections 1.415 and 1.419 of the Federal Communications Commission's ("FCC's") rules, 47 C.F.R. §§ 1.415, 1.419, John Staurulakis, Inc. ("JSI") hereby files comments before the FCC supportive of the petition of Mid-Rivers Telephone Cooperative, Inc. (Mid-Rivers) seeking to be declared an incumbent local exchange carrier ("ILEC"). Mid-Rivers' petition is filed pursuant to section 251(h)(2) of the Communications Act of 1934, as amended, 47 U.S.C. § 251(h)(2), and section 51.233(b) of the Commission's Rules, 47 C.F.R. § 51.223(b). Under these provisions, Mid-Rivers requests the FCC to issue an order declaring that Mid-Rivers shall be treated as an incumbent LEC in the Terry, Montana telephone exchange.

JSI is a consulting firm specializing in regulatory and financial services to more than two hundred rate-of-return ILECs throughout the United States, including Mid-Rivers. Among its consulting services, JSI assists these ILECs in the preparation and submission of jurisdictional cost studies and

Universal Service Fund (“USF”) data to the National Exchange Carrier Association (“NECA”), and routinely prepares and files tariffs with the Commission on behalf of a number of these ILECs. JSI also provides consulting services for competitive local exchange carriers that provide competitive local exchange services across the nation. Since the Commission seeks comments on the above referenced petition involving the regulatory treatment of Mid-Rivers, JSI is an interested party in this proceeding.

After the passage of the Telecommunications Act of 1996, Mid-Rivers began providing facilities-based telephone exchange service in the Terry, Montana exchange in competition with the then designated ILEC for the Terry exchange, Qwest. Subsequently, Mid-Rivers has achieved a significant household penetration percentage in the Terry exchange.

According to the Commission’s current rules, the Commission may treat a comparable LEC as an incumbent if three provisions are satisfied, to wit: (1) the carrier occupies a position in the market for telephone exchange service within an area that is comparable to the position formerly occupied by the ILEC, (2) the carrier has substantially replaced an ILEC in an exchange; and (3) such treatment is consistent with the public interest, convenience, and necessity and the purposes of section 251.

JSI believes that Mid-Rivers substantively satisfies the criteria outlined in the Act and recommends that the Commission approve expeditiously the Mid-Rivers petition.

Respectfully submitted,

John Staurulakis, Inc.

By: /s/ Emmanuel Staurulakis

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